JOHN BEL EDWARDS
GOVERNOR

CHUCK CARR BROWN, PH.D.
SECRETARY

State of Louisiana

DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

JUL 03 2018

CERTIFIED MAIL 7017 0530 0000 5979 1312 -RETURN RECEIPT REQUEST

File No.: LA0115924
AI No.: 97199
Activity No.: PER20170002

Mr. Curtis A. Wagner
C&M Marine Ventures, LLC
P.O. Box 40
Brittany, Louisiana 70718

RE: Draft Louisiana Pollutant Discharge Elimination System (LPDES) permit to discharge dry commodity vessel washwater, coal and coke vessel washwater, incoming ballast water and void water, and facility maintenance and ballast water and void water to the Mississippi River from an existing barge and ship cleaning and repair facility, operating between Mississippi River Mile Markers 45 and 235, St. John, Plaquemines, Orleans, St. Bernard, Jefferson, St. Charles, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes.

Dear Mr. Wagner:

The Department of Environmental Quality proposes to reissue LPDES permit with the effluent limitations, monitoring requirements, and special conditions listed in the attached DRAFT PERMIT. Please note that this is a DRAFT PERMIT only and as such does not grant any authorization to discharge. Authorization to discharge in accordance with this permitting action will only be granted after all requirements described herein are satisfied and by the subsequent issuance of a FINAL PERMIT. Upon the effective date, the FINAL PERMIT shall replace the previously effective LPDES permit, LA0115924.

This Office will publish a public notice one time in the local newspaper of general circulation, and in the Department of Environmental Quality Public Notice Mailing List. A copy of the public notice containing the specific requirements for commenting to this draft permit action will be sent under separate cover at the time the public notice is arranged. In accordance with LAC 33:IX.6521.A, the applicant shall receive and is responsible for paying the invoice(s) from the newspaper(s). LAC 33:IX.6521 states, "...The costs of publication shall be borne by the applicant."

The invoice, fee rating worksheet, and a copy of the fee regulations will be sent under a separate cover letter as applicable. Please note that a copy of the fee rating worksheet is also attached to this draft permit. A copy of the entire Louisiana Water Quality Regulations may be obtained from the Regulation Development Section by calling (225) 219-3985.

Pursuant to LAC 33:IX.1309.I, LAC 33:IX.6509.A.1 and LAC 33:I.1701, you must pay any outstanding fees to the Department. Therefore, please verify your facility's fee status by contacting LDEQ's Office of Management and Finance, Financial Services Division (225) 219-3863. Failure to pay in the manner and time prescribed could result in applicable enforcement actions as prescribed in the Environmental Quality Act, including, but not limited to, revocation or suspension of the applicable permit and/or assessment of a civil penalty against you.

Should you have any questions concerning any part of the DRAFT PERMIT, public notice requirements, or fee, please contact Christy Rogers, Office of Environmental Services, at the address on the first page or by telephone at (225) 219-3210. To ensure that all correspondence regarding this facility is properly filed, please reference your Agency Interest number 97199 and LPDES permit number LA0115924 on all future correspondence to this Department.

Sincerely,

Jennifer Sheppard, Environmental Scientist Manager
Industrial Permits Section

clr

Attachment(s) including draft permit, general information sheet, Appendix A, Attachments 1 and 2, statement of basis and fee sheet:

c: Christy Rogers
Water Permits Division

IO-W

ec: Kelli Hamilton
Water Permits Division

Ms. Ashley Broom
Office of Management and Finance

Permit Compliance Unit
Southeast and Capital Regional Office
Office of Environmental Compliance

Public Participation Group (for public notice)
Office of Environmental Services

General Information Sheet

AI ID: 97199 - C&M Marine Ventures LLC

Alternate Identifiers	Name	User Group	Dates
LA0115924	LPDES Permit #	LPDES Permit #	11-30-2011

Physical Location: between Miss River Mile Markers 45 and 235
Reserve, LA 70000

Main Phone: 2255586191

Mailing Address: PO Box 40
Brittany, LA 707180040

Location of Front Gate: -90.563056 longitude, 30.054722 latitude

Related People:	Mailing Address	Work Phone	Email	Relationship
Curtis Wagner	PO Box 40 Brittany, LA 707180040	2252590008	cwagner37@eatel.net	Responsible Official for
Maryann Wagner	PO Box 40 Brittany, LA 707180040	2255586191	cwagner37@eatel.net	Water Permit Contact For

Related Organizations	Mailing Address	Work Phone	Relationship
C&M Marine Ventures LLC	PO Box 40 Brittany, LA 707180040		Operates
C&M Marine Ventures LLC	PO Box 40 Brittany, LA 707180040		Water Billing Party for

SIC Codes: 4491, Marine cargo handling

3731, Ship building and repairing

Note: This report entitled "General Information" contains a summary of facility-level information contained in LDEQ's TEMPO database for this facility and is not considered a part of the permit. Please review the information contained in this document for accuracy and completeness. If any changes are required, or if you have questions regarding this document, please email the Permit Support Services Division at facupdate@la.gov.

DRAFT

PERMIT No.: LA0115924
AI No.: 97199

DEQ
LOUISIANA

OFFICE OF ENVIRONMENTAL SERVICES

Water Discharge Permit

Pursuant to the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued authorizing

C&M Marine Ventures, LLC
P.O. Box 40
Brittany, Louisiana 70718

Type Facility: barge and ship cleaning and repair facility

Location: operating between Mississippi River Mile Markers 45 and 235 St. John, Plaquemines, Orleans, St. Bernard, Jefferson, St. Charles, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes.

Receiving Waters: Mississippi River (Subsegment 070301)

to discharge in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III attached hereto.

This permit shall become effective on_____

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

DRAFT

Issued on_____

_____
Elliott B. Vega
Assistant Secretary

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 001, the intermittent discharge of dry commodity barge/ vessel washwater.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations (lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)					Monitoring Requirements	
	STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow-MGD	50050	Report	Report	---	---	monthly	Estimate

See Part II, Paragraphs I, J, K, L, M, N, O.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 001, at the point of discharge from the barge/vessel being washed prior to combining with other waters.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 002, the intermittent discharge of coal and coke barge/vessel washwater. [1]

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements	
			Other Units (lbs/day, UNLESS STATED)	(mg/L, UNLESS STATED)		
	STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency [2]	Sample Type
Flow-MGD	50050	Report	Report	---	---	weekly	Estimate
COD	00340	---	---	250	400	weekly	Grab
TSS	00530	---	---	Report	Report	monthly	Grab
pH (Standard Units)	00400	---	---	6.0 [3] (Min)	9.0 [3] (Max)	weekly	Grab

See Part II, Paragraphs I, J, K, L, M, N.

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 002, at the point of discharge from the barge/vessel being washed prior to combining with other waters.

FOOTNOTE(S):

1. See Part II, Paragraph O.

2. When discharging.

3. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 03A, the intermittent discharge of incoming ballast water and void water.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations					Monitoring Requirements [1]	
		Other Units (lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)			
	STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow-MGD	50050	Report	Report	---	---	weekly	Estimate
COD	00340	---	---	---	250	weekly	Grab
Oil & Grease	00556	---	---	---	15	weekly	Grab
pH (Standard Units)	00400	---	---	6.0 [2] (Min)	9.0 [2] (Max)	weekly	Grab
Organisms greater than or equal to 50 micrometers [3, 4, 5]	51819	---	---	---	10 organisms/ cubic meter ballast water	---	---
Organisms less than 50 micrometers and greater than or equal to 10 micrometers [3, 4, 5]	51820	---	---	---	10 organisms/ml ballast water	---	---
Vibrio cholerae (serotypes 01 & 0139) (cfu*/100ml) [3, 4, 5]	51818	---	---	---	1	---	---
Escherichia coli (cfu*/100ml) [3, 4, 6]	51040	---	---	---	250	quarterly	Grab
Intestinal enterococci (cfu*/100 ml) [3, 4, 6]	61211	---	---	---	100	quarterly	Grab
Residual Biocide [3, 4, 6]	see Appendix A Section C for STORET Codes	---	---	---	See footnote 6	quarterly	Grab

* cfu- colony forming unit

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall 03A, at the point of discharge from the barge/vessel prior to combining with other waters.

FOOTNOTE(S):

1. See Part II, Paragraph P.

2. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

3. **Apply when discharging ballast water taken from:**

    1. **Vessels (inland and ocean going) 3000 Gross Tons or greater that travel through more than one USCG Captain of the Port (COTP) zone, and**

    2. **Vessels where source of ballast water is not potable water**

4. See the implementation schedule below regarding permit limits for:

    Organisms greater than or equal to 50 micrometers, Organisms less than 50 micrometers and greater than or equal to 10 micrometers, *Vibrio cholerae* (serotypes O1 and O139), *Escherichia coli*, and Intestinal enterococci.

    Implementation Schedule

    1. Facilities built on or after December 1, 2013 that take ballast water from vessels with applicability per footnote 4 above must comply with all ballast water limitations upon commencement of ballast water discharge operation;

    2. Facilities built on or before November 30, 2013 that take ballast water from vessels with 1) applicability per footnote 4 above and 2) a ballast water capacity between 1500 and 5000 m3 must comply with all ballast water limitations upon commencement of ballast water discharge operations on or after January 1, 2014; and

    3. Facilities built on or before November 30, 2013 that take ballast water from vessels with 1) applicability per footnote 4 above and 2) a ballast water capacity less than or equal to 1500 m3 or greater than or equal to 5000 m3 must comply with all ballast water limitations upon commencement of ballast water discharge operations on or after January 1, 2016.

5. The discharge from this permitted outfall shall not exceed a Daily Maximum of 10 organisms/cubic meter ballast water for organisms greater than or equal to 50 micrometers, 10 organisms/ml ballast water for organisms less than 50 micrometers and greater than or equal to 10 micrometers, and 1 cfu/100 ml *Vibrio cholerae* (serotypes O1 and O139). Analytical sampling and analysis of these parameters on a regular basis is not required. If the facility does sample for these parameters, monitoring results (summarized monthly) must be reported on the DMR for the monitoring period in which the sampling took place.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

6. **Testing requirements**

Parameter	Frequency	Requirements	Reporting
Ballast Water Treatment System Operability*	Annually	See Appendix A, Section A	Retain records for a period of no less than 3 years from end of calendar year information was collected (no requirements to submit reports to LDEQ unless specifically requested to do so)
Biological Organism Monitoring	quarterly	See Appendix A, Section B	Submit with Discharge Monitoring Reports per reporting schedule
Residual Biocide	quarterly	See Appendix A, Section C	Submit with Discharge Monitoring Reports per reporting schedule

*See Appendix A, Table 1.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

During the period beginning the effective date and lasting through the expiration date the permittee is authorized to discharge from:

Outfall 03B, the intermittent discharge of facility maintenance and ballast water and void water.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations				Monitoring Requirements [1]	
		Other Units (lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		
	STORET Code	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type
Flow-MGD	50050	Report	Report	---	---	1/event	Estimate
COD	00340	---	---	---	250	1/event [2]	Grab
Oil & Grease	00556	---	---	---	15	1/event [2]	Grab
Visible Sheen	84066	---	---	---	No Presence	daily [3]	Observation
pH (Standard Units)	00400	---	---	6.0 [4] (Min)	9.0 [4] (Max)	monthly	Grab

There shall be no discharge of floating or settleable solids or visible foam in other than trace amounts, nor of free oil or other oil materials, nor of toxic materials in quantities such as to cause acute toxicity to aquatic organisms.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 03B, at the point of discharge from the vessel prior to combining with other waters.

FOOTNOTE(S):

1. See Part II, Paragraph Q.

2. Discharge shall be sampled whenever there is a presence of a visible sheen. If a visible sheen is not present during the monitoring period, the permittee shall report a no data indicator (NODI) code of 9 for conditional/not required on the Discharge Monitoring Report (DMR). A comment should be included in the note section of the DMR that indicates no sheen was present.

3. When discharging.

4. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

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In addition to the standard conditions required in all permits and listed in Part III, the Office has established the following additional requirements in accordance with the Louisiana Water Quality Regulations.

A. This permit does not in any way authorize the permittee to discharge a pollutant not listed or quantified in the application or limited or monitored for in the permit.

B. Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

C. For definitions of monitoring and sampling terminology see Part III, Section F.

D. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutant(s):

None

E. 40 CFR PART 136 (See LAC 33:IX.4901) ANALYTICAL REQUIREMENTS

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136, and in particular, Appendices A, B, and C (See LAC 33:IX.4901).

F. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be estimated using best engineering judgement.

G. The permittee shall achieve compliance with the effluent limitations and monitoring requirements specified for discharges in accordance with the following schedule:

Effective date of the permit

H. PERMIT REOPENER CLAUSE

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the

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designated uses of the receiving water bodies based upon additional water quality studies and/or TMDLs, if the effluent standard, limitations, water quality studies or TMDLs so issued or approved:

1. Contain different conditions or is otherwise more stringent than any effluent limitation in the permit; or

2. Control any pollutant not limited in the permit; or

3. Require reassessment due to change in 303(d) status of waterbody; or

4. Incorporate the results of any total maximum daily load allocation, which may be approved for the receiving water body.

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

I. GENERAL REQUIREMENTS FOR VESSELS

General requirements for vessels carrying all types of cargo and/or supporting activity, i.e., vessel washing, work vessels, bunkering vessels, midstream refueling vessels, vessels carrying coal, coke, grain, rock, chemical, or any other cargo are described in the following. **Please note: The General Requirements for vessels does apply to all vessels. However, for numbers 1 and 2, the permittee is responsible for permittee vessels only. Requirement 3 is specific to the entire facility, therefore the SPC plan should include, in general terms, other vessels being repaired. The permittee would be responsible for meeting requirements 4 and 5 for all vessels at the facility.**

Best Management Practices (BMP) shall be used to prevent the discharge of contaminated waters or cargo and shall be at least equivalent to the following:

1. Louisiana Administrative Code Title 33:IX.9 Spill Prevention and Control (SPC) does apply to all tanks and equipment mounted on vessel surfaces as well as to any tanks on shore. All pumps, tanks, vessels or other equipment on work or washwater vessels shall be placed on impervious decks and provided with spill containment systems such as curbs, gutters, sumps or absorbents and drip pans capable of retaining spills of oil and other materials.

2. With respect to work and washwater vessel surfaces, all storage tank installations should be constructed so that a secondary means of containment is provided for the entire contents of the largest single tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.

3. If applicable, operators of facilities meeting the criteria outlined in LAC 33:IX.903 that

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become operational 180 days after the effective date of the regulations shall prepare a plan within 180 days after the facility begins operation and shall be fully implemented as soon as possible, but not later than one year after such facility begins operation.

4. Efforts should be made to maintain a neat and orderly deck. Wastewaters generated in the process of washing vessel deck surfaces may be discharged provided: a.) residual oil and other contaminants that may be present on the deck surface are removed before the washing takes place, by means of absorbents or other appropriate methods that prevent oil and other contaminants from entering the waterway; and b.) if a cleaning agent is used in the wash process, it is one that is biodegradable and non-toxic/phosphate-free.

5. Wastewaters generated, prior to vessel maintenance and/or repair, in the process of pressure washing the vessel exteriors (excluding decks, refer to number 4 above) may be discharged provided that if a cleaning agent is used in the wash process, it is one that is biodegradable and non-toxic/phosphate-free.

J. Rainwater or water that has accumulated in open top customer vessels that have been properly cleaned (excluding coal and coke*) or have never contained any cargo, and/or in the permittee's spar vessels that have never contained any cargo, may be discharged without sampling provided there is no visible oil sheen and no visible indication of any other contamination other than minor amounts of rust. If a sheen or visible indication of other contamination is present, a sample must be taken and tested for compliance with the following parameters prior to discharge:

TOC - 50 mg/L; Oil & Grease - 15 mg/L; and pH within the range of 6.0 - 9.0 standard units.

If a sample(s) has been taken and tested, monitoring results (summarized monthly) must be reported as specified in Part II, Paragraph W – Discharge Monitoring Reports (DMRs). DMR forms shall be submitted quarterly along with and in the same manner as DMRs for outfalls. When reporting DMRs electronically and monitoring is not required during the month, use a no data indicator (NODI) code of 9 for conditional/not required.

* The discharge of rainwater or water from vessels in which the most recent cargo was coal and/or coke, is considered contaminated and must be discharged by way of the coal and coke vessel washwater outfall.

K. Discharge of rainwater from subject vessels that have not been cleaned, must be discharged through the appropriate outfall and in accordance with the effluent limitations and conditions for the outfall for that type of vessel.

L. BEST MANAGEMENT PRACTICE (BMP) OR STATE OF THE ART FOR CLEANING DRY CARGO VESSELS WITH THE COMMODITIES LISTED IN PART II, ATTACHMENT 1.

1. There shall be no discharge of bulk solids.

2. Solids remaining on the vessel after primary cleaning/product recovery methods such as front end loader, etc. must be removed for disposal as appropriate using vacuuming, sweeping or other acceptable methods.

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3. Only phosphate free/non-toxic soaps and detergents may be used for vessel cleaning.

M. SPECIAL REPORTING REQUIREMENTS FOR VESSEL CLEANING FACILITIES

1. On a monthly basis, report products that were in the vessels cleaned and the number of vessels cleaned that contained that product. Report the total volume of washwaters accumulated for the month and the total washwaters discharged during the reporting period, the total water used for washing, and the average, maximum and minimum amount of water used per vessel cleaning and per compartment.

2. The above information is to be summarized monthly, and submitted to the Office of Environmental Compliance with the quarterly Discharge Monitoring Reports (DMRs).

N. FACILITY LOCATION FOR VESSEL CLEANING

Operations shall occur only at the following locations: between Mississippi River Mile Markers 45 and 235, St. John, Plaquemines, Orleans, St. Bernard, Jefferson, St. Charles, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes. This Office is to be notified in writing prior to operating at any other location.

O. Only washwater from vessels that contained the materials specifically listed in Attachment 1 and treated as indicated through the respective outfall may be discharged. No other washwater from any other source and/or containing any other materials shall be discharged without prior written approval of the Water Permits Division. This approval may require a permit modification.

P. INCOMING BALLAST WATER AND/OR VOID WATER

Incoming ballast/void tank water from a randomly selected customer vessel must be sampled once per week and tested for compliance with Part I requirements applicable to incoming ballast water at the required interval. The volume of all such ballast water discharges, the date of the discharge, the location of the discharge, the name of the vessel, and vessel identification number/International Marine Organization (IMO) number must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to LDEQ as excursions. "Incoming ballast water" means ballast water that comes into the permittee's facility on board customer vessel wing tanks/ballast tanks or is generated as a result of the permittee placing water into customer vessel wing tanks/ballast tanks. "Void water" means unintentional water collected in void spaces.

Q. FACILITY BALLAST WATER AND/OR VOID WATER

The name of the vessel, vessel identification number/International Marine Organization (IMO) number, volume of all discharges of facility ballast water and/or void water from work, treatment, spar, or office vessels, the date of discharge, the presence or absence of a sheen, and the location of the discharge must be recorded in a daily operating log which shall be maintained on site and made available to the Department upon request. Discharges which exceed the specified limits must be reported to DEQ as excursions. As used in this paragraph,

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"facility ballast water" means water that has accumulated in vessels which are either semi-permanently or permanently moored at the facility or ballast water discharged as a result of shipbuilding or repairs. "Void water" means unintentional water collected in void spaces.

Facility ballast water and/or void water may be discharged without sampling for COD and/or TOC (if applicable), and Oil & Grease provided there is no visible sheen. When reporting DMRs electronically and monitoring is not required during the month, use a no data indicator (NODI) code of 9 for conditional/not required.

No DMR reporting is required for visible sheen; therefore, do not report visible sheen on the monthly DMR form that is used to report lab analysis for the other parameters (flow, COD, oil & grease, and pH). However, if a visible sheen is noted during an observation, a letter of noncompliance shall be submitted in accordance with Part III, Section D.7.

R. Coverage under this LPDES permit does not exempt the facility from compliance with the requirements of the EPA Vessel General Permit For Discharges Incidental To The Normal Operation of Vessels (*See http://www.epa.gov/npdes/vessels).*

S. BILGE AND/OR SLOP WATERS:

The discharge of bilge and/or slops waters is not permitted.

T. The LPDES permit authorizes the discharge from the permittee's operation at various locations on the Mississippi River between 45 M.A.H.P and 235 M.A.H.P. There shall be no discharge within one mile upstream of any drinking water intake. As guidance only, a list of the drinking water intakes on the Mississippi River of which this Office is aware is provided in Attachment 2. The permittee is responsible for determining the existence and the location of the nearest drinking water intake prior to each discharge.

U. A global positioning system (GPS) device shall be utilized at each location where permitted wastewater discharges occur. The GPS units will be used to document coordinates of each discharge event to be maintained with other discharge data and made available to the Department upon request. The GPS system shall be calibrated to provide coordinate accuracy within 50 feet of actual position.

V. No person shall discharge byproduct waste gypsum from the production of phosphate fertilizer of wet-process phosphoric acid into the Mississippi River. This prohibition shall not apply to authorized discharges of wastewaters or rainfall runoff containing dissolved gypsum or suspended gypsum when such discharges are in compliance with state and federal permits and the discharges are not for the primary purpose of disposing of byproduct waste gypsum. [Subtitle II of Title 30 of the Louisiana Revised Statues 2076.G. (2)]

W. The permittee is responsible for all discharges to waters of the state from any barge/vessel cleaning and repair operation conducted under the regulations established in this permit.

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X. DISCHARGE MONITORING REPORTS

As per the regulations established at LAC 33:IX.2701.L.4.a, monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs.
If authorized to use an alternative format such as paper DMRs, then monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring reports must be retained for a period of at least three (3) years from the date of the sample measurement.

If you have a No Discharge Event at any of the monitoring outfall(s) during the reporting period, use a No Data Indicator (NODI) Code of "C" for electronic DMRs or mark an "X" in the No Discharge box located in the upper right corner of the paper DMR.

Monitoring results for each reporting period shall be summarized on a Discharge Monitoring Report (DMR) Form (one DMR form per monitoring period per outfall) and submitted to the Office of Environmental Compliance either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:I.2101.A and B no later than the 28th day of the month following each reporting period. The permittee shall make available to this Office, upon request, copies of all monitoring data (such as lab reports) required by this permit.

1. For parameters that require a monitoring frequency of quarterly or more frequent (ex: continuous, 1/batch, 1/discharge, 1/event, 1/day (daily), 3/week, 2/week, 1/week, 2/month (twice per month), 1/month (monthly) etc.), DMRs shall be submitted in accordance with the following schedule:

Monitoring Period	DMR Submittal Date
January, February, March	April 28th
April, May, June	July 28th
July, August, September	October 28th
October, November, December	January 28th

2. For parameter(s) that require a monitoring frequency of 1/ 2 months, DMRs shall be submitted in accordance with the following schedule:

Monitoring Period	DMR Submittal Date
Jan-Feb, Mar-Apr, & May-Jun	July 28th
Jul-Aug, Sept-Oct, & Nov-Dec	January 28th

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3. For parameters that require a semiannual (1/6 months) monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

Monitoring Period	DMR Submittal Date
January 1 – June 30	July 28th
July 1 - December 31	January 28th

4. For parameters that require an annual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

Monitoring Period	DMR Submittal Date
January 1 – December 31	January 28th

If not submitting electronically, duplicate sets of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503, and any violations of the conditions of the permit as well as all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit at the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
Permit Compliance Unit
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312

APPENDIX A

Section A - Ballast Water System Functionality Monitoring

Ballast water treatment systems use physical and/or chemical processes, or a combination thereof, to achieve reductions in living organisms. The use of physical/chemical indicators of treatment performance verifies that the ballast water treatment system is operating according to the manufacturers' operating specifications. To assess the BWTS functionality, monitoring indicators of the BWTS functionality are required to be testing annually for specific parameters that are applicable to your system. The required parameters to be monitored, with appropriate monitoring approaches are contained in the attached Table 1. For example, if your system uses a filter and chlorine dioxide, you must meet the requirements for systems using both filters and chlorine dioxide. If your system uses cavitation, UV, and hypochlorite generation, you must monitor conditions for all three treatment units.

Section B - Biological Organism Monitoring

Once the facility is required to treat ballast water per the implementation schedule, any ballast water discharges from the facility will be subject to effluent limitations. To ascertain compliance with the effluent limitation, biological indicator compliance monitoring per Table 2 below will be required on a quarterly basis. Samples can be taken by collecting a small volume sample from the discharge and analyzing the sample for concentrations of certain biological indicator parameters. Analysis of concentrations of indicator organisms must include monitoring for the parameters in Table 2 below utilizing the methods in the table or other EPA methods found in 40 CFR Part 136 as applicable.

Table 2: Indicator Organism Monitoring Parameters

Measurement	STORET Code	Instrument or Analysis	EPA Method	Standard Method	ASTM	ISO	Other
Total heterotrophic bacteria	51791	Plate counts		SM 9215	ASTM D5465	ISO 6222:1999	
E. coli	51040	Selective substrate	EPA Method 1103.1 and 1603	SM 9223B	ASTM D5392 – 93	ISO 9308-1:2000	Colilert®
Enterococci	61211	Selective substrate	EPA Method 1106.1 and 1600	SM 9230C	ASTM D5259 – 92(2006)	ISO 7899-2:2000	Enterolert®

Section C – Residual Biocides Monitoring

Many ballast water treatment systems produce or use biocides as an agent to reduce living organisms present in the ballast water tank. In order to be eligible for coverage under this permit, any ballast water treatment system must not use any biocide that is a "pesticide" within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C § 136 *et seq.*) unless that biocide has been registered for use in ballast water treatment under such Act. The requirement in the preceding sentence does not apply if such biocide is generated solely by the use of a "device" on board the same vessel as the ballast water to be treated by the biocide, as the term "device" is defined in the Federal Insecticide, Fungicide, and Rodenticide Act. In addition, if the ballast water treatment system uses or generates biocides and you will discharge ballast water treated with biocides into waters subject to this permit, you must meet one of the following conditions to be eligible for permit coverage.

The discharge of biocides or residuals may not exceed the following instantaneous maximum limits expressed as micrograms per liter (µg/l).

Table 3: Maximum Ballast Water Effluent Limits for Residual Biocides

Biocide or Residual	STORET	Limit (instantaneous maximum
Chlorine Dioxide	50070	200 ug/l
Chlorine (expressed as Total Residual Oxidizers (TRO as TRC))	50060	100 ug/l
Ozone (expressed as Total Residual Oxidizers (TRO as TRC))	00386	100 ug/l
Peracetic Acid	51674	500 ug/l
Hydrogen Peroxide (for systems using Peracetic Acid)	00139	1,000 ug/l

To ascertain compliance with the above effluent limitations, compliance monitoring for the biocide or residual used/generated by the ballast water treatment system will be required on a quarterly basis.

Any other biocides or derivatives may not exceed acute water quality criteria listed in EPA's 1986 Quality Criteria for Water [the Gold Book], and any subsequent revision, at the point of ballast water discharge. The Gold Book can be found at:

www.epa.gov/waterscience/criteria/library/goldbook.pdf.

Tables summarizing the subsequent Gold Book revisions can be found at:

http://www.epa.gov/waterscience/criteria/wqctable/index.html.

If the biocide used or produced by your system and its derivatives is not listed in the previous table or found in EPA's Gold Book, you must notify the LDEQ at least 120 days in advance of its use and provide any associated aquatic toxicity data for that biocide or its derivatives of which you are aware.

Appendix A.Table 1– Ballast Water Treatment System Sensors, Measurement Requirements and Appropriate Equipment for Physical/Chemical Indicator Monitoring

Technology Type	Measurement	Potential Control Sensor, Equipment, or Procedure	Non Discharge Indicators of BWTS performance	Required Metrics to be Reported
Alkylamines	Alkylamines	Chemical analysis and treatment monitoring	-Alkylamines concentration at injection -Alkylamines dosage and usage	-Alkylamines sample concentration -Alkylamines dosage and usage
	pH	pH sensor	pH	pH readings
Biological agents	Treatment chemical	Chemical analysis and treatment monitoring	-Treatment chemical concentration at injection -Treatment chemical dosage and usage	-Treatment chemical sample concentration -Treatment chemical dosage and usage
Cavitation	Pressure Differential	Pressure sensors (before/after)	Pressure Differential	Pressure readings
Chlorination: (e.g., sodium chlorite and sodium hypochlorite	Chlorine	In-line N,N diethyl-p-phenylene diamine (DPD) analyzer, sample analysis, and treatment monitoring	-Chlorine concentration at injection -Chlorine dosage on treatment and usage (if chlorine addition)	-Chlorine readings from both on-line sensor and sample analysis -Chlorine dosage on treatment (if chlorine addition)
	Oxidation reduction potential (ORP)	ORP sensor	ORP at injection	ORP readings
	Power consumption, voltage and current	System power diagnostics	Chlorination module power consumption, voltage and current (if electrochlorination)	No Reporting Required
	Total residual oxidizers (TRO)	Amperometric sensor	TRO at injection	TRO readings
	Conductivity/salinity	Conductivity and temperature sensor	Conductivity and temperature at injection	Conductivity/salinity and temperature readings
Chlorine Dioxide	Chlorine Dioxide	On-line chlorine dioxide amperometric sensor, Lissamine Green B (LGB) sample analysis, and treatment monitoring	-Chlorine dioxide concentration at injection -Chlorine dioxide dosage and usage (if chlorine addition)	-Chlorine dioxide readings from both on-line sensor and sample analysis -Chlorine dioxide dosage and usage (if chlorine addition)
Coagulation (flocculent)	Coagulant	Chemical analysis and treatment monitoring	-Treatment flocculent concentration at injection -Treatment chemical dosage and usage	- Treatment flocculent concentration -Treatment chemical dosage and usage

Technology Type	Measurement	Potential Control Sensor, Equipment, or Procedure	Non Discharge Indicators of BWTS performance	Required Metrics to be Reported
	Turbidity (NTU)	Turbidity sensor	Coagulation effluent turbidity	Coagulation effluent turbidities
Deoxygenation	Dose of inert gas (if used)	Treatment monitoring	Deoxygenation gas dosage and usage	Deoxygenation gas dosage and usage
	pH (if CO_2 used)	pH sensor	pH	pH readings
	Dissolved Oxygen (DO)	DO sensor	Deoxygenation module dissolved oxygen concentration	Dissolved oxygen concentrations
Electric pulse	Power consumption, voltage and current	System power diagnostics	Electric pulse module power consumption, voltage and current	Electric pulse module power consumption, voltage and current readings
Filtration	Flow rate	Flow meter	Filter effluent flow	Flow readings
	Pressure Differential	Pressure sensors (before/after)	Filter pressure differential (e.g., before/after filtration)	Filter pressures (before/after)
	Back flush frequency	Treatment monitoring	Filter backwash frequency	Filter backwash frequencies
Heat	Temperature	Thermistors	Treatment temperature	Temperature readings
Hydrocyclone	Back flush frequency	Treatment monitoring	Hydrocyclone back flush frequency	Hydrocyclone back flush frequencies
	Power consumption, voltage and current	System power diagnostics	Hydrocyclone power consumption, voltage and current	Hydrocyclone power consumption, voltage and current
Menadione/Vitamin K	Menadione/Vitamin K	Chemical analysis and treatment monitoring	-Menadione/Vitamin K concentration at injection -Menadione/Vitamin K dosage and usage	-Menadione/Vitamin K concentration at injection -Menadione/Vitamin K dosage and usage
Ozone	TRO	Amperometric sensor	TRO at ozone injection	TRO readings
	Ozone	On-line ozone sensor (if used) and sample analysis	Ozone concentration at injection	Ozone readings from both on-line sensor (if used) and sample analysis
	Bromate	Sample analysis	Bromate at ozone injection	Bromate measurements
	Power consumption, voltage and current	System power diagnostics	Ozonation module power consumption, voltage and current	No Reporting Required
	Conductivity/salinity	Conductivity and temperature sensor	Conductivity and temperature at injection	Conductivity/salinity and temperature readings
Peracetic acid	Hydrogen peroxide	On-line sensor, chemical analysis, treatment monitoring	-Hydrogen peroxide concentration at injection -Hydrogen peroxide dosage and usage	-Hydrogen peroxide readings from both on-line sensor and sample analysis -Hydrogen peroxide dosage and usage

Technology Type	Measurement	Potential Control Sensor, Equipment, or Procedure	Non Discharge Indicators of BWTS performance	Required Metrics to be Reported
	Peracetic acid	On-line sensor, chemical analysis, treatment monitoring	-Peracetic acid concentration at injection -Peracetic acid dosage and usage	-Peracetic acid readings from both on-line sensor and sample analysis - Peracetic acid dosage and usage
	pH	pH sensor	pH at injection	pH readings
Plasma pulse	Power consumption, voltage and current	System power diagnostics	Plasma pulse module power consumption, voltage and current	Plasma pulse module power consumption, voltage and current readings
	Temperature	Thermistors	Treatment temperature	Temperature readings
Shear	Pressure differential	Pressure sensors (before/after)	Pressure differential	Pressure readings
Ultrasound	Power consumption, voltage and current	System power diagnostics	Ultrasound power consumption, voltage and current	Ultrasound module power consumption, voltage and current readings
UV and UV+TiO_2	Power consumption, voltage and current	System power diagnostics	UV module power consumption, voltage and current	UV module power consumption, voltage and current
	Lamp status and age	Treatment monitoring	UV lamp status and age	No Reporting Required
	UV dose, intensity, transmittance	UV sensors and monitors	UV dose, intensity, transmittance	UV dose, intensity, transmittance
	Flow rate	Flow meter	UV effluent flow	Flow readings

ATTACHMENT 1

List of Commodities

Grains, Food Additives and Other Feedstocks
Soybean meal
Corn gluten feed pellets
Expeller byproducts
Corn distiller grain meal
Beet pulp pellets
Soyhulls
Soyhull pellets
Rice bran
Peanut meal
Corn
Soybeans
Rice
Oats
Fish meal
Meat and bone meal
Wheat
Millet
Sorghum
Barely
Wheat gluten
Pig Iron
Iron Ores
Direct reduced iron
Sinter
Ferro silicon
Silico manganese
Ferro chrome
Concentrates (Zinc, Lead, Copper)
Scrap (stainless, ferrous, others)
Aluminum (ingots, slabs, tbars, sows, etc)
Alumina (bulk)
Fertilizers
Potash
Monoammonium phosphate

Feeds
Pellets
Briquettes
Illmenite
Coal & Coke products
Coal
Metallurgical coke
Pitch
Petroleum coke
Anode butts
Calcined pet coke
Minerals
Fluorspar
Barite
Bauxite
Borax
Silica
Olivine, zircon, bulk, other
Graphite
Manganese
Zinc
Limestone
Food Products (sugar, salt, other)
Ferro alloys
Ferro manganese
Diammonium phosphate
Ammonium sulphate
Urea, others
Rubber products (pelletized, shredded, other)
Wood Products (plywood timber, chips, pellets, other)
Stone refractory (rock, granite, cement clinkers, other)
Miscellaneous (ores, alloys, minerals)

ATTACHMENT 2

INTAKE STRUCTURE	LOCATION (RIVER MILE) W=West Bank E=East Bank
The DOW Company, Plaquemine	209.6 W
Honeywell Corporation, Geismar	187 E
Shell Chemical Company, Geismar	183 E
Peoples Water Service Company, Donaldsonville	175.5 W
Bayou LaFourche Fresh Water District, Donaldsonville	175.5 W
Ormet Corporation, Burnside	169.5 E
E.I. duPont deNemours & Company, Convent	169.2 E
Motiva Enterprises LLC, Convent	168.1 E
St. James Waterworks #1, Convent	154.1 E
St. James Waterworks #2, Vacherie	152.2 W
Town of Lutcher Waterworks, Lutcher	147.4 E
Town of Gramercy Waterworks, Gramercy	146.7 E
Kaiser Aluminum & Chemical Corporation, Gramercy	145.3 E
Marathon Petroleum Company, Garyville	140 E
St. John Waterworks #1, Lions Plant, Reserve	139.3 E
St. John Waterworks #2, Edgard Plant, Edgard	139.3 W
DuPont Dow Elastomers, LaPlace	136 E
St. Charles Waterworks #1, New Sarpy	125.1 E
St. Charles Waterworks #2, Luling	120.6 W
East Jefferson Waterworks, District 1, Metairie	105.4 E
New Orleans Dakin Waterworks, New Orleans	104.9 E
City of Westwego Waterworks, Westwego	101.5 W
West Jefferson Waterworks, District 2, Marrero	99.1 W
City of Gretna Waterworks, Gretna	96.7 W
New Orleans Algiers Waterworks #2, New Orleans	95.8 W
New Orleans Algiers Waterworks #1, New Orleans	95.7 W
Domino Sugar Corporation, Arabi	90.8 E
St. Bernard Waterworks, District 1, Chalmette	87.9 E
Dalcour Waterworks, Braithwaite	80.9 E
Belle Chasse Waterworks, Belle Chasse	75.8 W
Pointe-a-la-Hache Waterworks, Pointe-a-la-Hache	49.2 E
Port Sulphur Waterworks, Port Sulphur	49 W
Boothville-Venice Waterworks, Venice	18.6 W

PART III
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction
   In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to the Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply
   The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions
   a. La. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. La. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

   b. Any person may be assessed an administrative penalty by the State Administrative Authority under La. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants
   a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

   b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply
   a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

b. General Permits. General permits expire five years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action
This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

a. Noncompliance by the permittee with any condition of the permit;

b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time; or

c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;

d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge;

e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;

f. Change of ownership or operational control.

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights
This permit does not convey any property rights of any sort, or any exclusive privilege, nor does it authorize any injury to private or public property, nor any infringement of federal, state, or local laws or regulations.

8. Duty to Provide Information
The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability
Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability
If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution
A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies
In accordance with La. R.S.40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La. R.S.40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La. R.S.48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

15. The standards provided in Chapter 11 – Surface Water Quality Standards are official regulations of the state, and any person who discharges pollutants to the waters of the state in such quantities as to cause these standards to be violated shall be subject to the enforcement procedures of the state as specified in R.S. 30:2025.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense
It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate
The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance
   a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up

or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities
   a. ***Bypass***. The intentional diversion of waste streams from any portion of a treatment facility.

   b. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.

   c. Notice
      (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least ten days before the date of the bypass.

      (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6 (24-hour notice) and Section D.6.e. of these standard conditions.

   d. Prohibition of bypass
      (1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:

         (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

         (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

         (c) The permittee submitted notices as required by Section B.4.c of these standard conditions.

      (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions
   a. Upset. An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

   b. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by an upset, and before an action for noncompliance, is final administrative action subject to judicial review.

   c. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      (1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and

(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances
Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal
For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3. Publicly owned treatment works utilizing waste stabilization ponds/oxidation ponds are not subject to the 85 percent removal rate for Total Suspended Solids.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry
The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection
   (1) When the inspector announces that samples will be collected, the permittee may be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.
   (2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.

g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling
Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records
Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents
Records of monitoring information shall include:

a. The date, exact place, and time of sampling or measurements;
b. The individual(s) who performed the sampling or measurements;
c. The date(s) analyses were performed;
d. The time(s) analyses were begun;
e. The individual(s) who performed the analyses;
f. The analytical techniques or methods used;
g. The results of such analyses; and
h. The results of all quality control procedures.

5. Monitoring Procedures
   a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.

b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to ensure accuracy of measurements and shall maintain appropriate records of such activities.

c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the "Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982 "U.S. Environmental Protection Agency. This publication is available from the National Service Center for Environmental Publications https://nepis.epa.gov/Exe/ZyNET.exe/30000QSA.TXT?ZyActionD=ZyDocument&Client=EPA&Index=1981+Thru+1985&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C81thru85%5CTxt%5C00000001%5C30000QSA.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL.

6. Flow Measurements
Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

a. "A Guide to Methods and Standards for the Measurement of Water Flow, 1975," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.

b. "Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2," U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.

c. "NPDES Compliance Flow Measurement Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties
a. La. R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.

b. La. R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance.

8. Additional Monitoring by the Permittee
   If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements
   Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation
    a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
       (1) Submitted on behalf of any facility, as defined in La. R.S.30:2004;
       (2) Required as part of any permit application;
       (3) Required by order of the department;
       (4) Required to be included on any monitoring reports submitted to the department;
       (5) Required to be submitted by contractor
       (6) Otherwise required by department regulations.

    b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not (LELAP) accredited will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

       Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

    c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under LDEQ → About LDEQ→ LA Lab Accreditation at the following link:

       http://deq.louisiana.gov/page/la-lab-accreditation

       Questions concerning the program may be directed to (225) 219-3247.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes
   The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.

   c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging

those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance
The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers
This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if: (1)the permit has been modified or revoked and reissued (under LAC 33:IX.2903.A.2.b) by the permittee and new owner submitting a Name/Ownership/Operator Change Form (NOC-1 Form) and approved by LDEQ (LAC 33:I.Chapter 19); or (2) a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

The NOC-1 form can be found using the pathway LDEQ → Water→ LPDES Application Forms at the following link: **http://deq.louisiana.gov/page/lpdes-water-permits**

4. Monitoring Reports
Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be submitted through a department-approved electronic document receiving system (NetDMR) in accordance with LAC 33:I.Chapter 21 unless the state administrative authority gives written authorization to the permittee to submit monitoring results in an alternative format such as paper DMRs.

Information about NetDMR and gaining access can be viewed using the pathway LDEQ → Water→ NETDMR on the department's website at: **http://deq.louisiana.gov/page/netdmr**

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) using the format specified in the permit.

If authorized to report using an alternative format such as paper DMRs, then preprinted DMRs will be provided to majors/92-500s and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312

5. Compliance Schedules
Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification
As required by LAC 33.I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (877) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification
As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify DPS by telephone at (877) 925-6595 (collect calls accepted 24 hours a day) within 24 hours after learning of the discharge.

In the event of an unauthorized discharge that requires notification, the DPS 24-hour Louisiana Emergency Hazardous Materials Hotline will notify the Department of Environmental Quality.

In accordance with LAC 33:I.3923, notifications not required by LAC 33:I.3915 or 3917 shall be provided to the department within a time frame not to exceed 24 hours, or as specified by the specific regulation or permit provision requiring the notification, and shall be given to SPOC, as follows:

(1) by the Online Incident Reporting screens found at **http://deq.louisiana.gov/page/file-a-complaint-report-an-incident**;or
(2) by e-mail utilizing the Incident Report Form and instructions found at **http://deq.louisiana.gov/page/single-point-of-contact**;or
(3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.

c. Content of Prompt Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:
(1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;
(2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;
(3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;
(4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;

(5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;
(6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.

d. Written Notification Procedures. Written reports for any unauthorized discharge that requires notification under Section D.6.a. or 6.b., or shall be submitted by the discharger to the Office of Environmental Compliance, Assessment Division SPOC in accordance with LAC 33:I.3925 within seven calendar days after the notification required by D.6.a. or 6.b., unless otherwise provided for in a valid permit or other department regulation. Written notification reports shall include, but not be limited to, the following information:
(1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;
(2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;
(3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
(4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:
(a) the current permitted limit for the pollutant(s) released; and
(b) the permitted release point/outfall ID.

(5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);
(6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
(7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.
(8) Written notification reports shall be submitted to the Office of Environmental Compliance, Assessment Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT**."

Written reports (LAC 33:I.3925) should be mailed to:

Louisiana Department of Environmental Quality
Post Office Box 4312
Baton Rouge, LA 70821-4312
ATTENTION: ASSESSMENT DIVISION – SPOC "UNAUTHORIZED DISCHARGE NOTIFICATION REPORT"

The Written Notification Report may also be faxed to the Louisiana Department of Environmental Quality, Office of Environmental Compliance, Assessment Division at: (225)-219-3708.

Please see LAC 33:I.3925.B for additional written notification procedures.

e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact

dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
(2) Any upset which exceeds any effluent limitation in the permit;
(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance
The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information
Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances
In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
   i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
      (1) One hundred micrograms per liter (100 µg/L);
      (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
      (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
      (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

   ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
   i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

      (1) Five hundred micrograms per liter (500 µg/L);
      (2) One milligram per liter (1 mg/L) for antimony;
      (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
      (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or

   ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

10. Signatory Requirements
All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

(1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
   (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
   (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a(1)(b) rather than to specific individuals.

(2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
(3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
   (a) The chief executive officer of the agency, or
   (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;
   (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
   (3) The written authorization is submitted to the state administrative authority.

c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are

significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under La. R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, La. R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

a. The name and address of any permit applicant or permittee;
b. Permit applications, permits, and effluent data.
c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations

The Louisiana Revised Statutes La. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

The Louisiana Revised Statutes La. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than $5,000 nor more than $50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than $100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment

The Louisiana Revised Statutes La. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements

The Louisiana Revised Statutes La. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than $10,000, or imprisonment for not more than

2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than $20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties
The Louisiana Revised Statutes La. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than $32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(**PLEASE NOTE**: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).

2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.

3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.

5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.

6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with La. R.S.49:1001 et seq.

7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.

8. Daily Maximum discharge limitation means the highest allowable "daily discharge".

9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.

10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.

11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.

12. Environmental Protection Agency or (EPA) means the U.S. Environmental Protection Agency.

13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.

14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.

15. LEQA means the Louisiana Environmental Quality Act.

16. Loading, is presented in the permit and reported in the DMR as the total amount of a pollutant entering the facility or discharged in the effluent. It is calculated by knowing the amount of flow, the concentration, and the density of water. Results should be rounded off and expressed with the same number of significant figures as the permit limit. If the permit does not explicitly state how many significant figures are associated with the permit limit, the permittee shall use two.

    For Industrial Facilities: Loading (lbs/day) = Flow (in MGD) x Concentration (mg/L) x 8.34*

    For POTWs: Loading (lbs/day) = Design Capacity Flow (in MGD) x Concentration (mg/L) x 8.34*

    *8.34 is the unit conversion for the weight of water

    Please note that the equations above may not be appropriate for production based effluent guideline limitations.

17. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

18. Monthly Average, other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

19. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

20. POTW means Publically Owned Treatment Works.

21. Sanitary Wastewater Term(s):

    a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.

    b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

    c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.

    d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.

22. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

23. Sewage sludge means any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage. *Sewage sludge* includes, but is not limited to, solids removed during primary, secondary, or advanced wastewater treatment, scum, domestic septage, portable toilet pumpings, Type III marine sanitation device pumpings (33 CFR Part 159), and sewage sludge products. *Sewage sludge* does not include grit or screenings, or ash generated during the incineration of sewage sludge.

24. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.

25. Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.

26. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)

27. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.

28. The term MGD shall mean million gallons per day.

29. The term GPD shall mean gallons per day.

30. The term mg/L shall mean milligrams per liter or parts per million (ppm).

31. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.Chapter 9).

32. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.

33. The term µg/L shall mean micrograms per liter or parts per billion (ppb).

34. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).

35. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.

36. Wastewater—liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.

37. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.

38. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \ldots + C_nF_n}{F_1 + F_2 + \ldots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

STATEMENT OF BASIS (AI No. 97199)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0115924 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: C&M Marine Ventures, LLC
P.O. Box 40
Brittany, Louisiana 70718

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Christy Rogers

DATE PREPARED: June 28, 2018

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits – LA0115924
LPDES permit effective date: August 1, 2012
LPDES permit expiration date: July 31, 2017

C. Date Application Received: March 13, 2017; additional information received on April 3, 2017, June 14, 2018 via email, and on June 20, 2018 via phone call.

D. This permit application was not received 180 days prior to permit expiration; however, in accordance with LAC 33:IX.2501.D.2, an application submittal extension was granted. Therefore, in accordance with LAC 33:IX.2321, the existing permit remains in effect and enforceable beyond the expiration date of the permit.

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY – barge and ship cleaning and repair facility

C&M Marine Ventures, LLC is an existing barge and ship cleaning and repair facility that cleans (90% of operations) and repairs (10% of operations) open top barges and ships containing grains, food additives and other feedstocks, soybean meal, corn gluten feed pellets, expeller byproducts, corn distiller grain meal, beet pulp pellets, soyhulls, soyhull pellets, rice bran, peanut meal, corn, soybeans, rice, oats, fish meal, meat and bone meal, wheat, millet, sorghum, barely, wheat gluten, pig iron, iron ores, direct reduced iron, sinter, ferro silicon, silico manganese, ferro chrome, concentrates (zinc, lead, copper), scrap (stainless, ferrous, others), aluminum (ingots, slabs, tbars, sows, etc.), alumina (bulk), fertilizers, potash, monoammonium phosphate, feeds, pellets, briquettes, illmenite, coal and coke products, coal, metallurgical coke, pitch, petroleum coke, anode butts, calcined pet coke, minerals, fluorspar, barite, bauxite, borax, silica, olivine, zircon, bulk, graphite, manganese, zinc, limestone, food products (sugar, salt, other), ferro alloys, ferro manganese, diammonium phosphate, ammonium

sulphate, ammonium nitrate, urea, others, rubber products (pelletized, shredded, other), wood products (plywood timber, chips, pellets, other), stone refractory (rock, granite, cement clinkers, other), miscellaneous (ores, alloys, minerals). All solids are removed prior to the facility receiving barges and ships. Barges and ships are cleaned by spraying river water inside the vessels starting at one end and pumped overboard from the opposite end.

This facility is not subject to the Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442. In accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility cleans barges and vessels containing dry commodities only.

B. FEE RATE
1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 4491 and 3731

C. LOCATION – operating between Mississippi River Mile Markers 45 to 235, St. John, Plaquemines, Orleans, St. Bernard, Jefferson, St. Charles, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: the intermittent discharge of dry commodity barge/vessel washwater
Treatment: none
Location: at the point of discharge from the barge/vessel being washed prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River via discharge hose

Outfall 002

Discharge Type: the intermittent discharge of coal and coke barge/vessel washwater
Treatment: settling tank
Location: at the point of discharge from the barge/vessel being washed prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River via discharge hose

Outfall 03A

Discharge Type: the intermittent discharge of incoming ballast water and void water
Treatment: none
Location: at the point of discharge from the barge/vessel prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River via discharge hose

Outfall 03B

Discharge Type: the intermittent discharge of facility maintenance and ballast water and void water
Treatment: none
Location: at the point of discharge from the barge/ vessel prior to combining with other waters
Flow: intermittent
Discharge Route: Mississippi River via discharge hose

4. RECEIVING WATERS

STREAM – Mississippi River

BASIN AND SEGMENT – Mississippi River Basin, Segment 070301

DESIGNATED USES -
a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. WATER QUALITY CONSIDERATIONS

303(d)/TMDL STATUS:

Subsegment 070301 is listed on LDEQ's Final 2016 303(d) List as supporting standards. A standard reopener clause is included in PART II of the permit.

LOUISIANA NUTRIENT MANAGEMENT STRATEGY:

The Louisiana Nutrient Management Strategy, released in 2014, is a collaborative approach among stakeholders for making progress toward managing nutrients within the state's waterbodies. As part of the Louisiana Nutrient Management Strategy, the LPDES Permit Program aims to gather and evaluate information on nutrients through monitoring in permitted dischargers that may have the potential to cause or contribute to an impairment of Louisiana waterbodies. Results of the review of the application, receiving waterbody status, and facility type indicate this discharge should not have the potential to cause or contribute to impairment; therefore, monitoring for Total Nitrogen (TN) and Total Phosphorus (TP) will be not be included in this permit at this time.

6. CHANGES FROM PREVIOUS PERMIT

a. Effluent limitations and monitoring requirements for biological organisms and residual biocides have been established in the permit. These requirements apply if incoming ballast water is taken from vessels 3000 Gross Tons or greater that travel through more than one USCG Captain of the Port (COTP) zone and the source of ballast water is not potable water. This requirement is in accordance with Coast Guard Ballast Water Discharge Standards – 33 CFR Part 151 and the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000, Schedule E – Incoming Ballast and/or Void Water.
b. A prohibition has been added to Part II, Paragraph V regarding byproducts of waste gypsum.
c. Part II, Paragraph W has been added.
d. Part II, Paragraph L has been updated to establish a requirement to use only phosphate free/non-toxic soaps and detergents for vessel cleaning.

7. COMPLIANCE HISTORY/COMMENTS

A. Inspections: A compliance inspection was conducted on May 25, 2017 (EDMS Document No.: 10627470). The inspection noted that areas of concern, such as providing incorrect information on the facility's permit application and failure to comply with all conditions of the LPDES permit. The facility was referred to enforcement as a result of this inspection.

B. Enforcement Actions: A consolidated compliance order and notice of potential penalty, WE-CN-01006, was issued on January 13, 2017 (EDMS Document No.: 10468965). The facility issued a response to comments and requested an adjudicatory hearing (EDMS Document No.: 10664343). A hearing has been granted (EDMS Document No.: 11083626).

C. DMRs: A DMR review of the monitoring reports covering the monitoring period of March 31, 2016 through March 31, 2018 revealed no effluent excursions.

D. Company Compliance History – A consolidated compliance order and notice of potential penalty, WE-CN-01006, was issued on January 13, 2017 (EDMS Document No.: 10468965). A hearing has been granted (EDMS Document No.: 11083626) in order to resolve compliance issues and potential penalties.

E. Permit Actions Taken: N/A

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

8. EXISTING EFFLUENT LIMITS

Outfall 001: the intermittent discharge of dry commodity vessel washwater

Based on BPJ and the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000, Schedule B – Dry Commodity Vessel Washwater, no effluent limitations are established for washwaters from barges previously containing dry commodities. Best Management Practices (BMPs) for barge operations are listed in Part II of the permit.

Outfall 002: the intermittent discharge of coal and coke vessel washwater

Pollutant	Limitation		Frequency	Sample Type
	Monthly Avg	Daily Max		
	mg/L (unless stated)			
Flow (MGD)	Report	Report	1/week	Estimate
COD	250	400	1/week	Grab
TSS	Report	Report	1/month	Grab
pH (standard units)	6.0 (min)	9.0 (max)	1/week	Grab

Outfall 03A: the intermittent discharge of incoming ballast water and void water

Pollutant	Limitation		Frequency	Sample Type
	Monthly Avg	Daily Max		
	mg/L (unless stated)			
Flow (MGD)	Report	Report	1/week	Estimate
COD	---	250	1/week	Grab
Oil & Grease	---	15	1/week	Grab
pH (standard units)	6.0 (min)	9.0 (max)	1/week	Grab

Outfall 03B: the intermittent discharge of facility ballast water and void water

Pollutant	Limitation		Frequency	Sample Type
	Monthly Avg	Daily Max		
	mg/L (unless stated)			
Flow (MGD)	Report	Report	1/event	Estimate
COD[1]	---	250	1/event	Grab
Oil & Grease[1]	---	15	1/event	Grab
Visual Sheen[2]	---	No presence	1/day	Observation
pH (standard units)	6.0 (min)	9.0 (max)	1/month	Grab

1. Discharge shall be sampled whenever there is a presence of a visible sheen.
2. When discharging.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as a threatened and/or endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated May 18, 2016 from Clark (FWS) to Vega (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Rationale for C&M Marine Ventures, LLC

1. **Outfall 001:** the intermittent discharge of dry commodity barge/vessel washwater

Based on BPJ and the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule B, Dry Commodity Vessel Washwater, flow shall be estimated monthly for washwaters from barges previously containing dry commodities including: grains, food additives and other feedstocks, soybean meal, corn gluten feed pellets, expeller byproducts, corn distiller grain meal, beet pulp pellets, soyhulls, soyhull pellets, rice bran, peanut meal, corn, soybeans, rice, oats, fish meal, meat and bone meal, wheat, millet, sorghum, barely, wheat gluten, pig iron, iron ores, direct reduced iron, sinter, ferro silicon, silico manganese, ferro chrome, concentrates (zinc, lead, copper), scrap (stainless, ferrous, others), aluminum (ingots, slabs, tbars, sows, etc.), alumina (bulk), fertilizers, potash, monoammonium phosphate, feeds, pellets, briquettes, illmenite, coal and coke products, coal, metallurgical coke, pitch, petroleum coke, anode butts, calcined pet coke, minerals, fluorspar, barite, bauxite, borax, silica, olivine, zircon, bulk, graphite, manganese, zinc, limestone, food products (sugar, salt, other), ferro alloys, ferro manganese, diammonium phosphate, ammonium sulphate, ammonium nitrate, urea, others, rubber products (pelletized, shredded, other), wood products (plywood timber, chips, pellets, other), stone refractory (rock, granite, cement clinkers, other), miscellaneous (ores, alloys, minerals). Best Management Practices (BMPs) for barge operations are listed in Part II of the permit.

2. **Outfall 002:** the intermittent discharge of coal and coke barge/vessel washwater

	Limitation		
	Monthly Avg	Daily Max	
Pollutant	mg/L (unless stated)		**Reference**
Flow (MGD)	Report	Report	LAC 33:IX.2707.I.1.b
COD	250	400	LAG030000, Schedule C
TSS	Report	Report	LAG030000, Schedule C
pH (standard units)	6.0 (min)	9.0 (max)	LAG030000, Schedule C

Treatment: none

Monitoring Frequency: Flow shall be estimated weekly; COD and pH shall be monitored by grab sample weekly; TSS will be monitored by grab sample monthly. Monitoring frequencies are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule C, Coal and Coke Vessel Washwater.

Limits Justification: Limits are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule C, Coal and Coke Vessel Washwater.

3. **Outfall 03A:** the intermittent discharge of incoming ballast water and void water

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L (unless stated)		
Flow (MGD)	Report	Report	LAC 33:IX.2707.I.1.b
COD	---	250	LAG030000, Schedule E
Oil & Grease	---	15	LAG030000, Schedule E
pH (standard units)	6.0 (min)	9.0 (max)	LAG030000, Schedule E
Organisms greater than or equal to 50 micrometers [1,2,3]	---	10 organisms/ cubic meter ballast water	LAG030000, Schedule E Coast Guard regulations, 33 CFR Part 151
Organisms less than 50 micrometers and greater than or equal to 10 micrometers [1,2,3]	---	10 organisms/ml ballast water	LAG030000, Schedule E Coast Guard regulations, 33 CFR Part 151
Vibrio cholerae (serotypes O1 and O139) [1,2,3]	---	1 cfu/100 ml	LAG030000, Schedule E Coast Guard regulations, 33 CFR Part 151
Escherichia coli [1,2,4]	---	250 cfu/100 ml	LAG030000, Schedule E Coast Guard regulations, 33 CFR Part 151
Intestinal enterococci [1,2,4]	---	100 cfu/100 ml	LAG030000, Schedule E Coast Guard regulations, 33 CFR Part 151
Residual Biocide [1,2,4]	---	See Footnote 4	LAG030000, Schedule E

cfu colony forming unit

Treatment: none

Monitoring Frequency: Flow shall be estimated weekly; COD, Oil & Grease, and pH shall be monitored weekly by grab sample; *Escherichia coli,* Intestinal enterococci, and residual biocide shall be monitored quarterly by grab sample. Monitoring frequencies are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule E, Incoming Ballast and/or Void Water.

Limits Justification: Limits for Flow, COD, Oil & Grease and pH are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule E, Incoming Ballast and/or Void Water.

Indicator organism and residual biocide monitoring shall only be required for incoming ballast and void water meeting criteria outlined in Footnote 1. This requirement is based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule E, Incoming Ballast and/or Void Water; and on Coast Guard regulations found at 33 CFR Part 151-Ballast Water Discharge Standards (Federal Register/Vol. 77, No. 57/Friday March 23, 2012).

Footnotes

[1] Applies when discharging ballast water taken on from vessels (inland and oceangoing) 3000 Gross Tons or greater that travel through more than one USCG Captain of the Port (COTP) Zone, and the source of ballast water is not potable water.

[2] Implementation Schedule - please see the implementation schedule below regarding permit limits for:
Organisms greater than or equal to 50 micrometers, Organisms less than 50 micrometers and greater than or equal to 10 micrometers, *Vibrio cholerae* (serotypes O1 and O139), *Escherichia coli*, and Intestinal enterococci.

Implementation Schedule:

1. Facilities built on or after December 1, 2013 that take ballast water from vessels with applicability per footnote 1 above must comply with all ballast water limitations upon commencement of ballast water discharge operation;

2. Facilities built on or before November 30, 2013 that take ballast water from vessels with 1) applicability per footnote 1 above and 2) a ballast water capacity between 1500 and 5000 m3 must comply with all ballast water limitations upon commencement of ballast water discharge operations on or after January 1, 2014; and

3. Facilities built on or before November 30, 2013 that take ballast water from vessels with 1) applicability per footnote 1 above and 2) a ballast water capacity less than or equal to 1500 m3 or greater than or equal to 5000 m3 must comply with all ballast water limitations upon commencement of ballast water discharge operations on or after January 1, 2016.

[3] The discharge from this permitted outfall shall not exceed a Daily Maximum of 10 organisms/cubic meter ballast water for organisms greater than or equal to 50 micrometers, 10 organisms/ml ballast water for organisms less than 50 micrometers and greater than or equal to 10 micrometers, and 1 cfu/100 ml *Vibrio cholerae* (serotypes O1 and O139). Analytical sampling and analysis of these parameters on a regular basis is not required.

[4] **Testing Requirements**

Parameter	Frequency	Requirements	Reporting
Ballast Water Treatment System Operability*	Annually	See Appendix A, Section A of the permit	Retain records for a period of no less than 3 years from end of calendar year information was collected (no requirements to submit reports to LDEQ unless specifically requested to do so)
Biological Organism Monitoring	quarterly	See Appendix A, Section B of the permit	Submit with Discharge Monitoring Reports per reporting schedule
Residual Biocide	quarterly	See Appendix A, Section C of the permit	Submit with Discharge Monitoring Reports per reporting schedule

*See Appendix A, Table 1 of the permit

4. **Outfall 03B:** the intermittent discharge of facility maintenance and ballast water and void water

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L (unless stated)		
Flow (MGD)	Report	Report	LAC 33:IX.2707.I.1.b
COD[1]	---	250	LAG030000, Schedule D
Oil & Grease[1]	---	15	LAG030000, Schedule D
Visible Sheen[2]	---	No presence	LAG030000, Schedule D
pH (standard units)	6.0 (min)	9.0 (max)	LAG030000, Schedule D

Treatment: none

Monitoring Frequency: Visible Sheen shall be monitored daily by observation; Flow shall be estimated 1/event; COD and Oil & Grease shall be monitored 1/event by grab sample; pH shall be monitored monthly by grab sample. Monitoring frequencies are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule D, Facility Ballast and/or Void Water.

Limits Justification: Limits are based on the LPDES Vessel Cleaning and Repair and Shipyards General Permit, LAG030000 effective January 1, 2014 - Schedule D, Facility Ballast and/or Void Water.

1. Discharge shall be sampled whenever there is a presence of a visible sheen. When reporting DMRs electronically and monitoring is not required during the month, use a no data indicator (NODI) code of 9 for conditional/not required.

2. When discharging.

NOTE
For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Codes 4491 and 3731 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.

Worksheet for Technical Review of Working Draft of Proposed Permit

Company Name:	C&M Marine Ventures LLC	**AI #: 97199**		**TEMPO Activity No:**	PER20170002
Facility Name:	C&M Marine Ventures LLC	**Remarks Submitted by:**	**Michael Hebert. (mhebertsr@yahoo.com-225.362.8384)**		
Permit Writer:	Christy Rogers	**Permit Writer Email:**	**Christy.rogers@la.gov**		
Technical Review Start Date:	**06/29/2018**	**Technical Review Due Date:**	**07/06/2018**		

Instructions

Permit Reference – Indicate specific portion(s) of the permit to which the remark relates (i.e. "Fact Sheet Section IV", or "Permit Part II, Paragraph G", etc.).

Remarks – Explain the basis for each remark. Provide regulatory citations where possible. If the remark is made due to an error or omission in the permit application this must be noted and the revised information ***must be submitted.*** Revised information may be submitted separately from this worksheet. Please be aware that revised information must be submitted in writing and certified by the Responsible Official. *Please Note:* New or additional information not addressed in the original permit application will be addressed on a case-by-case basis. The Department reserves the right to address such changes in a separate permit action.

DEQ Response – *DO NOT COMPLETE THIS SECTION.* This section will be completed by Water Permits Division of DEQ, included in the proposed permit package and made available for public review during any required public comment period.

- Additional rows may be added as necessary.
- Completed Form shall be emailed to the Permit writer in MS Word compatible format within the deadline specified in the email notification.
- ***DO NOT USE THIS FORM TO SUBMIT COMMENTS DURING THE OFFICIAL PUBLIC COMMENT PERIOD.***

Permit Reference	Remarks	Water Permits Division Response (for official use only)
Permit Page 1, right before Part I Page 2, Location	Remove: LA Hwy 44 in Reserve, Mississippi River Mile Marker 139..... Insert: C&M Marine Ventures, LLC Mobile Facilities operating between Mississippi River Mile Markers 45 and 235.....	The location has been changed to "operating between Mississippi River Mile Markers 45 and 235".
Statement of Basis Page 2. Facility Information, Page 2, C. Location-	Remove: LA Hwy 44 in Reserve, Mississippi River Mile Marker 139..... Insert: C&M Marine Ventures, LLC Mobile Facilities operating between Mississippi River Mile Markers 45 and 235.....	The location has been changed to "operating between Mississippi River Mile Markers 45 and 235".
LA Fee System worksheet Page 1, item 4	Remove: LA Hwy 44 in Reserve, Mississippi River Mile Marker 139..... Insert: C&M Marine Ventures, LLC Mobile Facilities operating between Mississippi River Mile Markers 45 and 235.....	The location has been changed to "operating between Mississippi River Mile Markers 45 and 235".

Invoice No. _____

LOUISIANA WATER POLLUTION CONTROL FEE SYSTEM
RATING WORKSHEET
PERMIT NO. LA0115924; AI NO. 97199; ACTIVITY NO. PER20170002
May 16, 2018

1.	Company Name:	C&M Marine Ventures, LLC
	Facility Name:	
2.	Local Mailing Address:	P.O. Box 40 Brittany, Louisiana 70718
3.	Billing Address (If different):	
4.	Facility Location:	operating between Mississippi River Mile Markers 45 and 235
	Parish:	St. John, Plaquemines, Orleans, St. Bernard, Jefferson, St. Charles, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes
5.	Facility Type:	Barge and ship cleaning and repair facility
	Treatment Process Used:	
6.	Products Produced:	
	Raw materials stored or used:	
	By-products produced:	
7.	Primary SIC Code:	4491
	Other SIC Codes:	3731
8.	Fac. Manager:	Curtis Wagner
	Telephone:	(225) 259-0008
9.	Owner:	
	Telephone:	
10.	Env. Contact:	
	Telephone:	
11.	NPDES/LPDES Permit No.	LA0115924
	Effective Date:	August 1, 2012
	Expiration Date:	July 31, 2017
12.	Number and ID of Outfalls:	Outfall 001 – the intermittent discharge of dry commodity barge/vessel washwater; Outfall 002 – the intermittent discharge of coal and coke barge/vessel washwater; Outfall 03A - the intermittent discharge of incoming ballast water and void water; Outfall 03B – the intermittent discharge of facility maintenance and ballast water and void water
13.	Number of Injection Wells:	
14.	Water Source(s):	
15.	Receiving Water(s):	Mississippi River
16.	River Basin:	Mississippi River Basin
	Subsegment Number:	070301
17.	Federal Tax ID Number:	
18.	Rater:	clr

TOTAL RATING POINTS: 10

ANNUAL FEE RATING WORKSHEET - Industrial
PERMIT NO. LA0115924; AI NO. 97199; ACTIVITY NO. PER20170002
May 16, 2018

FACILITY COMPLEXITY

1. DESIGNATION

Primary Sic: 4491

Complexity Designation:

____	I	(0 Points)
√	II	(10 points)
____	III	(20 points)
____	IV	(30 points)
____	V	(40 points)
____	VI	(50 points)

COMPLEXITY DESIGNATION POINTS 10

2. FLOW VOLUME AND TYPE

A. Wastewater Type I - Is total Daily Average Discharge greater than 400 mgd?

____ Yes, then points = 200

____ No, then

Points = 0.5 x Total Daily Average Discharge (mgd)

Points = 0.5

x _____ = _____

Total Points = _____

B. Wastewater Type II (Flow is intermittent)

Points = 10 x Total Daily Average Discharge (mgd)

Points = 10 x _____ = _____

Total Points = 0

C. Wastewater Type III

Points = 2 x Total Daily Average Discharge (mgd)

Points = 2 x _____ = _____

Total Points = _____

FLOW VOLUME AND TYPE POINTS 0

3. POLLUTANTS

A. BOD_5 or

Daily Average Load =

√	≤ 50 lb/day	(0 Points)
____	> 50 - 500	(5 points)
____	> 500 - 1000	(10 points)
____	> 1000 - 3000	(20 points)
____	> 3000 - 5000	(30 points)
____	> 5000 lb/day	(calculate)

Points = 0.008 x Daily Average Load (lbs)

Points = 0.008 x _____ = 0

COD or

Daily Average Load =

____	≤ 100 lb/day	(0 Points)
____	> 100 - 500	(5 points)
____	> 500 - 1000	(10 points)
____	> 1000 - 5000	(20 points)
____	> 5000 - 10000	(30 points)
____	> 10000 lb/day	(calculate)

Points = 0.004 x Daily Average Load (lbs)

Points = 0.004 x _____ = _____

BOD or COD Demand Points (whichever is greater) 0

ANNUAL FEE RATING WORKSHEET - Industrial
PERMIT NO. LA0115924; AI NO. 97199; ACTIVITY NO. PER20170002
May 16, 2018

B. TSS

Daily Average Load =

√	≤ 100 lb/day	(0 Points)
	> 100 - 500	(5 points)
	> 500 - 1000	(10 points)
	> 1000 - 5000	(20 points)
	> 5000 - 10000	(30 points)
	> 10000 lb/day	(calculate)

Points = 0.004 x Daily Average Load (lbs)

Points = 0.004 x _____ = _____

TSS Points 0

C. Toxics

Total Annual Discharge to Water = _____ lbs

Points = 0.01 x Annual Discharge (lbs)

Points = 0.01 x _____ = _____

Toxics Points _____

TOTAL POLLUTANT POINTS 0

4. TEMPERATURE (HEAT LOAD)

Heat Load = Average Summer flow (mgd) * °T * 0.00834, where °T = Permit Limit (Max. Temp.) -70°

Heat Load = _____ (mgd) * _____ * 0.00834 = _____ Billion BTU

Heat Load =

	≤ 4 billion BTU	(0 Points)
	> 4-20 billion BTU	(5 points)
	> 20-100 billion BTU	(10 points)
	> 100-200 billion BTU	(15 points)
	> 200 billion BTU	(20 points)

HEAT LOAD POINTS 0

5. POTENTIAL PUBLIC HEALTH IMPACTS

Is the receiving water to which the wastewater is discharged or a water body to which it is a tributary used as a drinking water supply source within 50 miles downstream?

_____ No (0 points)

√ Yes, then Complexity Designation =

√	I, II	(0 Points)
	III	(5 points)
	IV	(10 points)
	V	(20 points)
	VI	(30 points)

POTENTIAL PUBLIC HEALTH IMPACT POINTS 0

6. MAJOR/MINOR FACILITY DESIGNATION

Has your facility been designated a Major Facility by the administrative authority?

_____ Yes, then Points = 25

√ No, then

Were effluent limitations assigned to the discharge based on water quality factors in the receiving stream?

√ No, then Points = 0

_____ Yes, then Points = 5

TOTAL MAJOR/MINOR POINTS 0

TOTAL RATING POINTS ASSIGNED 10